

AGENDA

INDIANAPOLIS AIR POLLUTION CONTROL BOARD

Room 118 City-County Building

9:30 A.M. March 11, 2004

- 1) CALL TO ORDER - REGULAR MEETING
- 2) ADOPTION OF AGENDA
- 3) ANNOUNCEMENTS
 - a) Introductions
- 4) APPROVAL OF MINUTES
 - a) February 12, 2004
- 5) STAFF REPORTS - January 2004
 - a) Activities
 - 1) Air Monitoring
 - 2) Permitting
 - 3) Compliance
 - 4) Enforcement
 - 5) School 21
 - 6) Central Indiana Air Quality Advisory Group Update
- 6) UNFINISHED BUSINESS
 - a) Emission Reporting Rule
 - b) Emission Offset Rule
 - c) Update on Air & Waste Management Annual Conference
- 7) NEW BUSINESS
- 8) ADJOURNMENT

NEXT MEETINGS:

ORDINANCE REVIEW COMMITTEE

Room 107 City-County Building

8:30 A.M. April 8, 2004

BOARD MEETING

Room 107 City-County Building

9:30 A.M. April 8, 2004

Web Site Address

www.indygov.org/ermd

For current Air Quality information, please call (317) 327-4AIR (4247).

For ozone information, please visit our website at www.knozone.com.

There will NOT be

an

Ordinance Review

Committee

Meeting

on

March 11, 2004

**PRELIMINARY MINUTES - February 12, 2004
INDIANAPOLIS AIR POLLUTION CONTROL BOARD
CITY OF INDIANAPOLIS**

The INDIANAPOLIS AIR POLLUTION CONTROL BOARD (APCB) met to conduct its regularly scheduled meeting on February 12, 2004 at 9:30 a.m. in Room 107 of the City-County Building.

THOSE PRESENT WERE:

Robert Daly, Chairman
Roland Salman, Member
Bill Brown, Member
Tom Rarick, Member
Chuck Fraley, Member
Dennis Achgill, Member
Bruce Wallace, Member
John Chavez, Technical Secretary
Matt Senseny, Board Counsel

ABSENT:

Tom Barnard, Member

GUESTS PRESENT:

Wade Kohlmann, Citizens Gas & Coke Utility
Richard Van Frank, Improving Kids Environment
Pam Thevenow, Marion County Health Department
Winter Bottum, Indiana Department of Environmental Management
Kelly Duncan, Public Information Office

RE: CALL TO ORDER - REGULAR MEETING

Dr. Robert Daly called the meeting to order.

RE: ADOPTION OF AGENDA

Dr. Daly solicited modifications to the Agenda. There was one (1) modification presented by Mr. John Chavez.

1. Public Hearing needs to be deleted as an Agenda item. No Public Hearing was to be held at the February 12, 2004 meeting.

Mr. Chuck Fraley made a motion the Agenda be adopted as amended. Mr. Tom Rarick seconded the motion and said motion carried.

RE: ANNOUNCEMENTS

Mr. Chavez reminded the Board that the next meeting scheduled on March 11, 2004 would be held in Room 118 of the City-County Building. He also announced that the parking permits for the City-County Building would be distributed on March 1, 2004 and then mailed to the Board members.

RE: APPROVAL OF MINUTES

Dr. Daly solicited modifications to the Minutes for the January 8, 2004 meeting. There were none. Mr. Dennis Achgill made a motion that the Minutes be approved as presented. Mr. Fraley seconded the motion and said motion carried.

RE: STAFF REPORTS - December 2003, Monthly Activities Report

(Air Monitoring Activities Report)

Mr. Rick Martin updated the Board on the Air Monitoring Activities for December 2003. He stated the Air Quality Index (AQI) bounced back and forth between the Good and Moderate

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categories throughout December which is normal. There were no unusual readings during the month.

The PM_{2.5} annual averages indicated that there are two (2) sites that are below the annual standard for one year, but the overall three-year average is still above the annual standard. Overall, the sites were lower than in previous years but not substantially lower. The Board inquired if the data in 2003 looks similar to the data in 2002. Mr. Martin stated yes, but could verify with Mr. Aaron Childs. The PM_{2.5} readings are typically higher during the winter and the summer and a little lower during the spring and the fall.

Mr. Martin gave an annual summary to the Board for 2003. He distributed a handout with the total air quality readings collected in 2003, the valid data return in 2003 and the annual averages for PM_{2.5} and PM₁₀. There were 171,830 readings collected in 2003. The contract requires minimum 75% valid data returns. OES exceeded the required minimum in 2003 for every pollutant data are collected. The PM_{2.5} annual average has been trending down from 2000 to 2003. It is still early to have specific answers for this data because PM_{2.5} has only been collected for four (4) years. The Board inquired if the 2002 readings are statistically different from the 2003 readings. Mr. Martin stated he was not sure but he would talk with Mr. Childs and report back to the Board at the next meeting. The annual PM₁₀ averages from 2000 through 2003 were pretty consistent.

Mr. Martin then distributed a handout with the PM_{2.5} Annual 24-hour Highs for Indianapolis, the PM_{2.5} Annual 24-hour 98th Percentile Values for Indianapolis, and the PM_{2.5} Annual Averages for Indianapolis. The PM_{2.5} Annual 24-hour Highs for Indianapolis are the highest 24-hour reading at each site. The 24-hour standard is 65 ug/m3. The United States Environmental Protection Agency (EPA) is considering reducing the 24-hour standard and has been discussing anywhere from 45ug/m3 to 65ug/m3. The PM_{2.5} Annual 24-hour 98th Percentile Values for Indianapolis chart indicates where the City stands for the annual 24-hour concentration.

(Permit Activities Report)

Mr. Keshav Reddy updated the Board on the Permit Activities Report for December 2003. There were two (2) applications received and six (6) decisions made. There are twenty-six (26) in draft stage, nine (9) on public notice, two (2) proposed, and seven (7) in the final stage. In 2003, there were ninety-one (91) applications received and one hundred ninety (190) decisions made. Staff worked diligently to address the backlog issues. The only permits that are still in backlog status are some of the initial Title V permits. The remaining initial Title V permits are in public notice or post public notice status with the exception of one (1). The goal is to have all of the initial Title V permits issued by June 30, 2004. The construction permits are being issued within their established timeframe.

Mr. Reddy announced that on Tuesday, January 13, 2004 at 6:30 p.m. at the VFW Post #2999 located at 3553 English Avenue, an expanded Public Outreach Meeting was held for the Citizens Gas and Coke Utility (CG&CU) Title V permit. The purpose of this meeting was to let interested parties know about the permitting process and to encourage feedback from them. Another meeting will be held for the Title V permit for International Truck and Engine Corporation. It will be held on February 26, 2004 at 6:30 p.m. at the Christian Park School #82 gymnasium located at 4700 English Avenue. The permitting process and the terms of the permits will be explained at this meeting.

The Board asked what kind of response was received at the expanded Public Outreach Meeting for the CG&CU permit. Mr. Reddy stated the turnout was low. There were approximately 15-20 people who attended. A follow-up meeting also took place at the request of the Southeast Community Organization, which surrounds CG&CU. Mr. Chavez stated in addition to holding the public meeting, OES has extended the public comment period for several of the Title V sources currently on public notice from the standard 30-day public comment period to a 60-day public comment period.

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(Stationary Source Compliance Activities)

Mr. Matt Mosier updated the Board on the Compliance Activities Report for December 2003. During the month of December, the Compliance Section inspected two (2) Title V sources, five (5) FESOP sources, ten (10) SSOA sources and two (2) Registration sources. Capital City Metals was flagged and referred to the Enforcement Section.

Mr. Mosier summarized the Compliance Activities for 2003. In 2003, the Compliance Section completed one hundred seventeen (117) unannounced source inspections. Out of those, there were seventeen (17) sources flagged. Fourteen (14) sources were flagged for record keeping issues, one (1) source was flagged for failure to take corrective action, one (1) source was flagged for exceedence of a regulatory limit and one (1) source was flagged for failure to notify OES of an initial start up. There were also thirty-six (36) stack tests observed in 2003, which occurred at fourteen (14) individual sources. Out of the thirty-six (36) tests observed there were two (2) tests that indicated violations. The Compliance staff quality assured nine hundred six (906) compliance reports in 2003. Out of those, there were three (3) reports that indicated violations. The non-compliance rate for the Title V and FESOP sources in 2002 was approximately 22% and in 2003 it dropped to approximately 9%.

(Notice of Violation/Agreed Judgement Activities Report)

Ms. Carlson updated the Board on the Enforcement Activities Report for December 2003. During the month of December, there were two (2) Notices of Violation (NOV) without referral, zero (0) NOV's with referral, and six (6) Warning Letters issued.

The EPA issued a Notice of Violation to International Truck and Engine Corporation for installation of 13 core box machines without proper permitting. The violations go back to the late 1970's. The company met with EPA on February 11, 2003 to discuss the violations.

The State has issued a subsequent Notice of Violation for the second quarter of 2003 for the opacity limitations at CG&CU. Ms. Carlson stated this and the existing violations for CG&CU will be combined into one resolution by the State.

New Information:

B. Jones Paving, Company - A Compliance Agreement was signed by the company on October 17, 2003, and a penalty of \$500.00 was assessed.

The Board inquired what is the status of Capitol City Metals, LLC. Ms. Carlson stated it is a group effort among the Compliance, Permitting and Enforcement Sections to resolve. Meetings have been held internally. The source is currently appealing their permit. There are compliance issues and an ongoing enforcement action. The Board asked about the results of the stack test that was conducted on July 18, 2003. Ms. Carlson stated that it demonstrated compliance.

Ms. Carlson updated the Board on the Enforcement Activities for 2003. She distributed a handout with the 2003 Air Pollution Enforcement Actions. During 2003, there were forty-one (41) Notices of Violation (NOV) without referral, twenty-seven (27) NOV's with referral, and ninety-five (95) Warning Letters. The regulation that was violated the most actions taken was Permits (Regulation 2).

In 2003, a total of \$97,580.00 in penalties was assessed. All of the money has not yet been collected. There are a number of cases that have been sent to the Prosecutor's office for collection because companies are not willing pay. The Board asked if the penalties assessed included the value of the Supplemental Environmental Projects (SEP's). Ms.

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Carlson stated the amount on her report is dollar value for the penalties. There were no SEP's done in 2003. If there had been, it would be counted separately. The Board asked what happens to the money that is collected. Ms. Carlson stated it goes into the Air Pollution Control Fund, which is a non-reverting dedicated fund. The money in the Air Pollution Control Fund is used to support OES.

The Board suggested that when a penalty has been assessed that the source stay on the list until the penalty is paid. Ms. Carlson stated that once an enforcement action is resolved the source normally has thirty (30) days to pay. However, some sources are on payment plans so they would end up staying on the list for an entire year. Ms. Carlson stated she could add a separate column or a separate section to her report.

The Board inquired about how the amount of penalties assessed in 2003 compare to the penalties assessed in 2002. Ms. Carlson stated more was assessed in 2002 than in 2003. She would provide the Board with a trend at the next Board meeting.

Mr. Dick Van Frank stated the Wishard Health Services (Wishard) violation has still not been resolved and thought that in the last Minutes there was an indication that it was supposed to be resolved by now. Mr. Chavez stated staff is currently finalizing the stack test report that is going over to IDEM. Preliminarily Wishard did fail the second stack test.

Staff met with several Wishard officials to discuss steps to take. A few weeks ago, Wishard completed a cold inspection of the incinerator to determine if there is an infrastructure problem. The hospital voluntarily reduced the amount of medical waste currently burned by 85%. They are burning approximately 5000-lbs. of waste compared to their permitting limit of 33,000 lbs. of waste per day. Wishard committed to conducting additional engineering tests, which are hot tests of the incinerator. They are looking at ways to improve the temperature control and the efficiency of the burn. They have identified some needed changes with some refractory and seal gasket replacements inside the incinerator. They are currently making those changes.

There will be a third stack test conducted approximately in March 2004. Once that stack test is conducted, OES Staff will expedite their review of the test. OES Staff spoke with several members of the team at Wishard on February 11, 2004 and expressed to them that the City wants this issue resolved as quickly as possible. OES staff are satisfied that Wishard has a plan in place and they are aggressively figuring out what the problems are with the incinerator. It appears that it is a temperature control issue.

Mr. Van Frank stated that there is something significantly wrong if Wishard failed two (2) stack tests. He stated that he recalls, after reading a permit, the City has the authority that after the 2nd failed stack test to shut the incinerator down. He questioned why after all that Mr. Chavez has said why the incinerator has not yet been shut down. He stated there are different ways that Wishard can get rid of medical waste and it is his understanding that they are burning radioactive medical waste. He feels there is a serious and significant problem that goes back to 2002. He is surprised that since it is a medical waste incinerator that this is not being more actively addressed.

Mr. Chavez stated he believes that the City is actively and aggressively addressing the issues. The latest stack test was conducted in late November 2003, the results were received in late December 2003. The first meeting after the results were received was in early January 2004. The City is satisfied with the steps that Wishard is taking to date. But if the problems are not corrected, the City will and can take a number of enforcement actions including the imposition of a very aggressive compliance schedule and/or closure of the incinerator. The City is not ruling out any of these options.

The Board inquired what is Health and Hospital Corporation's (HHC) position on these issues. Ms. Pam Thevenow from the Marion County Health Department (MCHD) stated she has not been in high level discussions about the Wishard incinerator problem. She thinks, on behalf of HHC, that in general it is believed that the facilities that are owned by HHC should be in compliance with the regulations and permits that they are issued. The Board

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inquired why HHC would not shut the incinerator down on its own since HHC is charged with the responsibility of protecting public health and one of its own facilities is in danger of risking public. Ms. Thevenow stated she would check in to it.

The Board stated they applaud the reduction steps Wishard has taken. However, the issue is what they are burning not how much they are burning. Ms. Thevenow asked if staff knew what they are burning. Mr. Chavez stated it was not sure what they are burning but would try to find out. He stated that Wishard has contracts to burn medical waste for a variety of different facilities, which Wishard has stopped accepting until the issues are resolved. He also stated that the City has requested that Wishard provide a contingency plan on what they plan to do with the waste in the event the incinerator is shut down.

The Board asked how far out of compliance was Wishard per their stack test results. Ms. Carlson stated they were almost double their limit. The Board asked if the age of the incinerator has anything to do with the problems they are experiencing. Staff stated the incinerator is fairly new and Wishard had contractors come in to make it comply with the new MACT standards including the new scrubber.

The Board asked what is the time frame for resolving this issue. Mr. Chavez stated given the time it takes to conduct and review stack test that June 1, 2004 is a reasonable time frame.

(2004 Workplan)

Mr. Chavez distributed a copy of the 2004 Workplan. This Workplan is part of the contract agreement between IDEM and OES. The Workplan consists of Administrative Priorities, Public and Private Stewardship of our Environment, and Air Quality Management Priorities. The Administrative Priorities and Public and Private Stewardship of our Environment are agreements the City has committed to do in 2004 that are unfunded. The Air Quality Management Priorities are broken out by each of the air programs (Permits, Compliance, Enforcement, Air Monitoring, and Planning).

The first attachment to the Workplan is a list of the Air Monitoring site locations and which parameters are being monitored. The second attachment contains the Title V permit milestones. The Board would like to have a copy of this report on a quarterly basis. The third attachment is the Compliance Committed Source list. All of the sources that have a "C" next to them are sources OES has committed to inspecting in 2004.

Mr. Van Frank inquired what is the difference between the funded and unfunded items under the Enforcement Program. Mr. Chavez stated the activities listed as unfunded were previously funded by the State. The State decided they would no longer fund these activities. However, OES felt these are important activities and will be covering the cost. The Board asked if OES is concerned that the funding being stopped by State was a trend. Mr. Chavez stated he does not think that it is a trend, and that these are items that are currently not on a higher priority plate for IDEM.

(School 21)

Mr. Chavez provided an update to the Board on the School 21 Project. There were a couple of small sub-group meetings in the last month. The Risk Characterization Protocol is still being discussed. The Risk Characterization Protocol is the methodology that is going to be used to analyze the data.

Mr. Chavez gave a presentation that was provided to the EPA and the School 21 Stakeholder group on the collection of the hourly monitoring results data that has been collected from May 15, 2003 through December 31, 2003. The study area that is part of the School 21 Workgroup Assessment is bounded on the east by Emerson Avenue, the south by Raymond Street, the west by Shelby Street and the north by Michigan Street. This area consists of approximately eight (8) square miles around School 21.

Mr. Van Frank stated the presentation and the way the data is being handled is great. He

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stated that it makes it pretty clear on to what is going on. There is ethyl benzene, toluene, and a couple of other pollutants that have shown spikes that are sometimes consistent with the benzene spikes and sometimes not. The pollutant that sticks out the most is the benzene.

The Board asked what is the next step. Mr. Chavez stated the group is still in the process of finalizing the Risk Characterization Protocol on how this data will be analyzed. A lot of this data will be fed into an air model. There will be additional modeling done. There will be calculations of average daily doses and model average daily doses of what can be expected or may be expected to exist in the community around School 21. There will be a risk characterization of that data to determine what the average daily dose over a lifetime or what the daily doses in over a day. These factors are still being discussed.

The State is contracting with a firm to do an emission reduction opportunity assessment for Citizens Gas and Coke Utility (CG&CU). The stakeholder group will see what the audit identifies and will determine if there are actions that can be taken at the CG&CU plant to reduce the amount of emissions. There will then be a final report and a Risk Communication Strategy. The Risk Communication Strategy will explain what has been done, what the results are, and what it all means. There has been debate on what level will constitute a need for action or what level will not constitute for action. However, the group has moved to an agreement on what that range will be.

The Board asked Mr. Chavez to point out where CG&CU is located on the map for the television audience.

The Board asked Mr. Van Frank if he still feels that there is not enough data coming back from the State and if he is not satisfied with the amount of information being provided. Mr. Van Frank stated there were a couple of very contentious meetings over the level of acceptable risk and at the last meeting there was agreement on that level pending approval of management. It is considering reducing the risk to as close as possible to 1 and 1 million additional cancer risk (incremental lifetime cancer risk) with consideration of economic impacts and technical feasibility. The group is looking at all the compounds and a risk characterization will be done for benzene, ethyl benzene or any of the pollutants that are detected and these will be added together to determine the aggregate risk.

The Board asked if there ever was resolution on the "Tools for Schools" program. Mr. Chavez stated that this was revisited at the last meeting. EPA did not consider the first walk through in October 2002 as an official "Tools for Schools" walk through. The group will re-approach IPS to conduct an official "Tools for Schools" walk through. The group was under the impression that the initial walk through was official. However, due to some technical failure, this is not the case.

Ms. Thevenow stated that due to the oversight on the walk through that not all has been lost. The MCHD has been actively involved in getting school systems to adopt all or part of the "Tools for Schools" program to improve indoor air quality. It is a voluntary program that is self-administered. The MCHD is more than willing to lend support by either helping school systems walk through how to complete the checklist, what data is to be collected, assist them with the inspection and explain to them what the information means once it is collected.

Ms. Thevenow attended a staff meeting at School 21 approximately a month ago to explain the monitoring taking place around the school but mostly to promote the "Tools for Schools" program. The principal at School 21 has the EPA "Tools for Schools" kit. Ms. Thevenow stated she distributed a classroom checklist to the teachers and encouraged them to do some of them, some changes or identify other issues. The school systems are strapped for time and money and they have a lot of requests of them. She plans on meeting with them again in the near future.

The Board concluded that the presentation was excellent and thanked everyone who put effort into it.

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(Central Indiana Air Quality Advisory Group Update)

Mr. Achgill updated the Board on the Central Indiana Air Quality Advisory Group. The last meeting took place on January 16, 2004 at 1:00 p.m. A new facilitator has been established, Mr. John Krause formally of the City of Indianapolis, who works for the Center of Urban Policy and Environment. There was a major discussion at the last meeting to review what the Central Indiana Technical Air Advisory Group (CITAAG) had done in the past. There was a list of approximately twenty (20) options that were established by CITAAG that were both voluntary and regulatory possibilities.

The Central Indiana Air Quality Advisory Group came up with approximately six (6) categories to put the options in. The categories consist of Inspection and Maintenance, Fuels, Transportation, Education, Business Controls and Off-road Equipment. There will be briefings at future meetings on each of these subjects to get a sense of what is behind these possible control mechanisms.

The next meeting is scheduled for March 2004. There is an informative meeting scheduled for February 20, 2004 to talk about the Clean Air Act in general. The purpose of this meeting is to give the stakeholders who are interested in learning more and give them background information about the Clean Air Act.

Mr. Chavez stated the group is really moving forward and there is still a lot of work to be done. The interest level is phenomenal and there is a lot of good dialogue happening.

The Board asked who is behind the mass transit ideas. Mr. Chavez stated that a group has been convened by the Mayor to take a look at mass transit issues. Mr. Chavez will find out who is on that Board and will report back to the APCB. Mr. Martin stated the Department of Metropolitan Development and Planning has put together a Northeast Corridor Study, which includes information about I-69 corridor. Mr. Martin is not sure what the current status is of that study. Mr. Chavez stated he is aware that the Park and Ride Program that was established in that corridor for the Hyperfix, which occurred in 2003, is one of the few that maintained. It starts at a Target parking lot in Noblesville and has actively been used and has been continued.

RE: UNFINISHED BUSINESS

There was none.

RE: NEW BUSINESS

Mr. Rarick asked staff to look into two (2) issues.

1. Will the newly adopted state changes in the emission reporting rule become effective before the due dates for emission reporting this year? Will it effect how people do there emission reporting? He asked for some advice on if this is something that might be an impact yet this year.

2. Ozone - He is interested in some discussion on the first impacts of transition from major source modifications in the permit program moving from Prevention of Significant Deterioration (PSD) to the emission offset rule. When will this occur? When does the program need to review them under different sets of requirements?

He would like this information soon, since the issues will be coming up in April 2004. Staff stated they would research his questions and will report at the next APCB meeting.

The Board also inquired if staff has received anymore information regarding the Board holding a meeting or doing a panel discussion when Indianapolis host the Annual Air and Waste Management Association Conference. Mr. Chavez stated he has not looked into this

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but would. There was discussion on hosting an actual Board meeting at the conference. Ms. Carlson stated if that does not work out there would probably be an opportunity for a media event.

RE: ADJOURNMENT

Mr. Bruce Wallace made a motion the meeting be adjourned. Mr. Fraley seconded the motion and said motion carried. The next Indianapolis Air Pollution Control Board meeting will be on March 11, 2004, at 9:30 A.M. in Room 118 of the City-County Building.

AIR POLLUTION CONTROL BOARD

Dr. Robert Daly, Chairman

ATTEST:

John Chavez, Technical Secretary
Indianapolis Air Pollution Control Board

Date: _____

**January 2004
Monthly
Air
Quality
Management
Activities**

Office of Environmental Services

INDIANAPOLIS MONITORING NETWORK LOCATIONS

2004

SITE#	ADDRESS	AIRS NUMBER	PARAMETERS
2	1735 South West Street	18-097-0043	PM10, PM2.5
11	3302 English Avenue	18-097-0066	PM10, PM2.5
18	Fort Benjamin Harrison	18-097-0050	O ₃
19	8327 Mann Road	18-097-0042	O ₃ , SO ₂ , PM10, PM2.5
20	1327 South Harding Street	18-097-0057	O ₃ , SO ₂ , WS, WD, Humidity, Bar. Pressure, Outdoor Temp.
26	7601 Rockville Road	18-097-0063	LEAD
30	Fortville (Hancock Co.)	18-059-0003	O ₃
31	1415 South Drover Street	18-097-0071	PM10
32	Noblesville (Hamilton Co.)	18-057-1001	O ₃
33	50 North Illinois	18-097-0072	CO
36	Quemetco	18-097-0076	LEAD
39	Monrovia	18-109-0005	O ₃
40	Trafalgar	18-081-0002	O ₃
41	3120 East 30 th Street (Washington Park)	18-097-0078	PM2.5 (FRM), PM2.5(TEOM), PM2.5(Speciation) Toxics (Canister, metals)
42	7250 East 75 th Street	18-097-0079	PM2.5
43	3351 West 18 th Street (School 90)	18-097-0081	PM2.5
44	2302 East Michigan St. (School 15)	18-097-0083	PM10, PM2.5
45	Whitestown (Boone Co.)	18-011-0001	O ₃
46	Avon (Hendricks Co.)	18-063-0004	O ₃
47	Plummer (Greene Co.)	18-055-0001	O ₃
48	Brownstown (Jackson Co.)	18-071-0001	O ₃ , WS, WD, Humidity, Outdoor Temp.
49	2815 English Avenue (School 21)		Toxics (Canister)
50	Fairland (Shelby Co.)	18-145-0001	O ₃

STATE OF INDIANA MONITORING NETWORK LOCATIONS IN INDIANAPOLIS

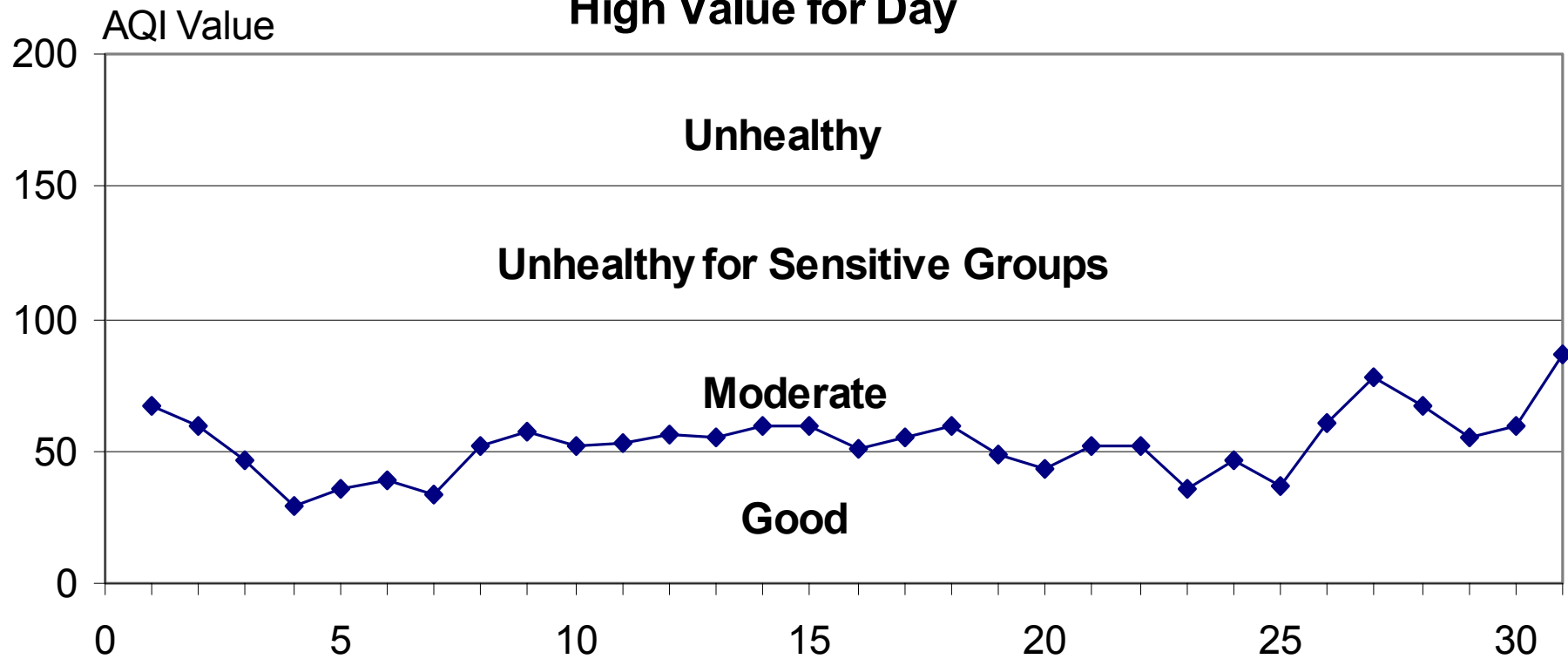
SITE #	Address	PARAMETERS
73	East 16 th Street	SO ₂ , O ₃ , CO, NO ₂ , PM10, WS, WD

Central Indiana

Air Quality Index

January 2004

High Value for Day

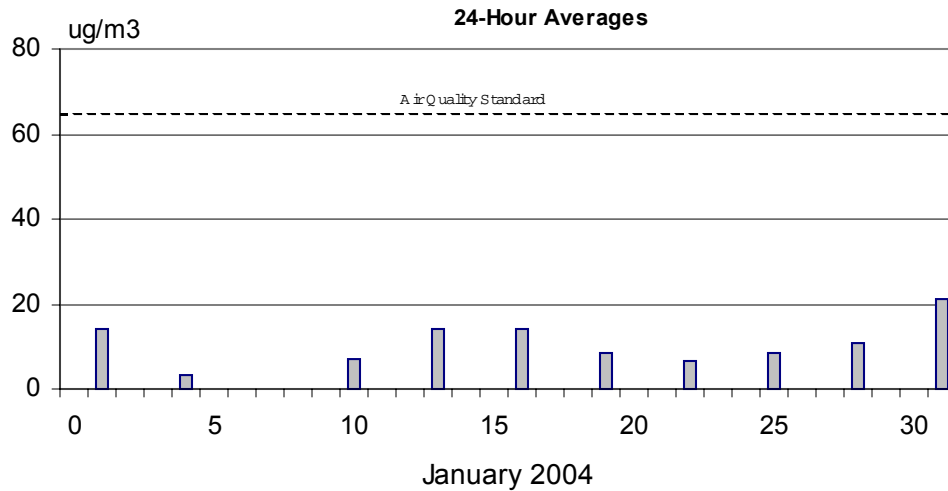


Pollutants included: O₃, SO₂, CO, PM_{2.5}

For hourly updates of AQI values go to: www.indy.gov/org/emd/airquality.htm or call 327-4A R

Particulate Matter 2.5

8327 Mann Road
Southwestway Golf Course

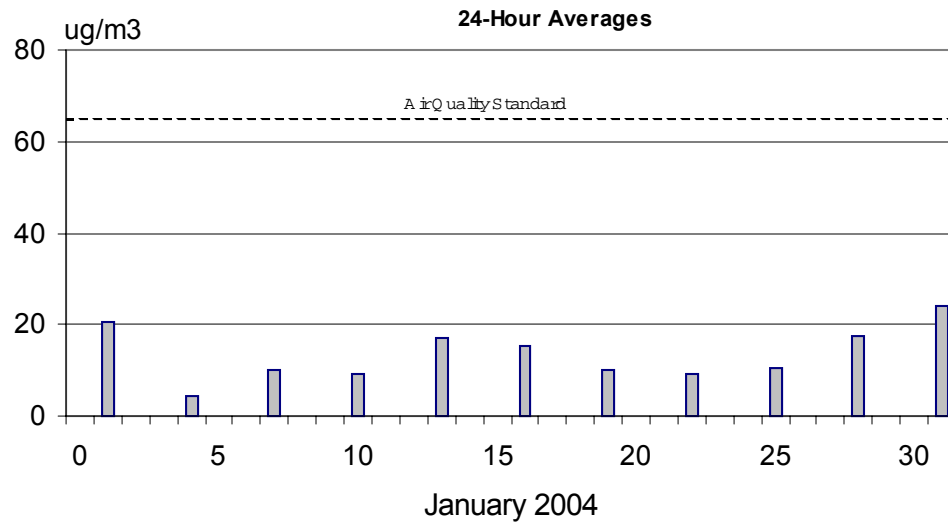


Site 19

	Monthly	YTD
1st High	21.2	21.2
2nd High	14.2	14.2

Particulate Matter 2.5

South West Street
DPW Facility

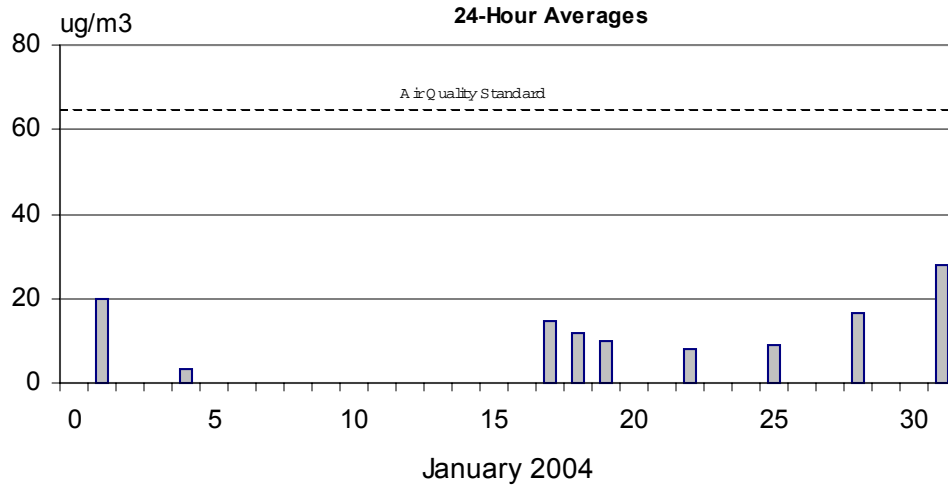


Site 2

	Monthly	YTD
1st High	24.0	24.0
2nd High	20.6	20.6

Particulate Matter 2.5

English Avenue



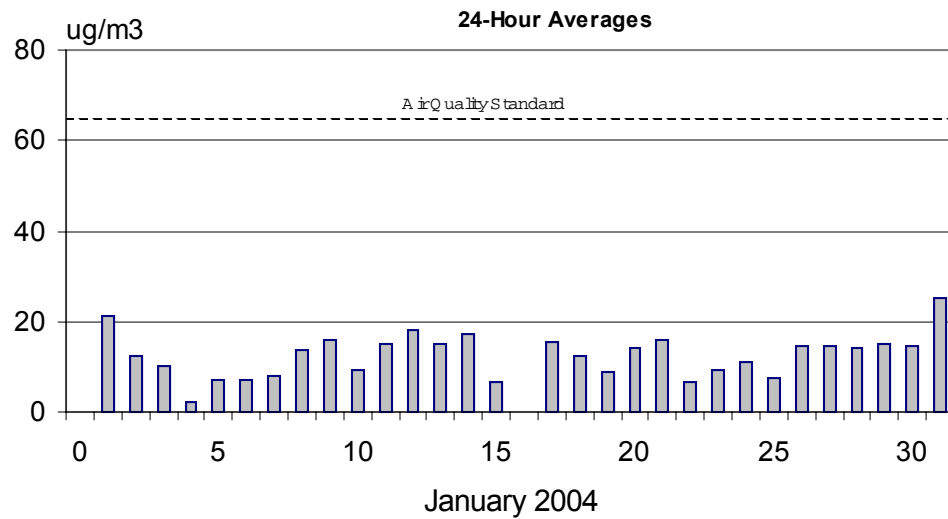
Site 11

	Monthly	YTD
1st High	27.9	27.9
2nd High	19.7	19.7

Particulate Matter 2.5

Washington Park

Police Station



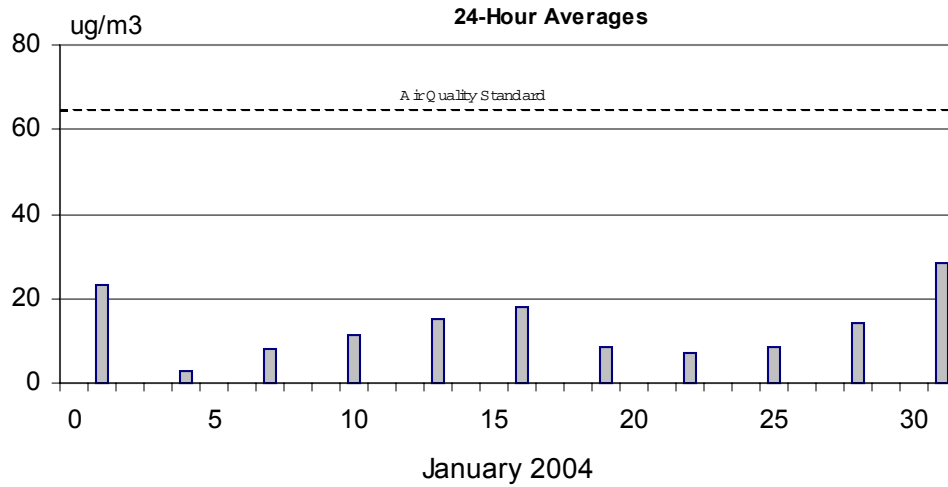
Site 41

	Monthly	YTD
1st High	25.2	25.2
2nd High	21.4	21.4

Particulate Matter 2.5

West 18th Street

School 90



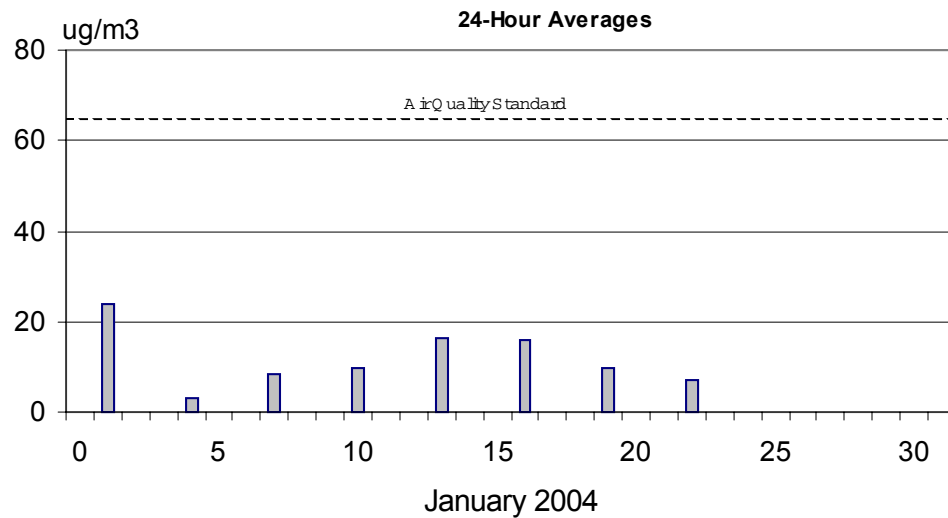
Site 43

	Monthly	YTD
1st High	28.6	28.6
2nd High	23.4	23.4

Particulate Matter 2.5

East Michigan Street

School 15

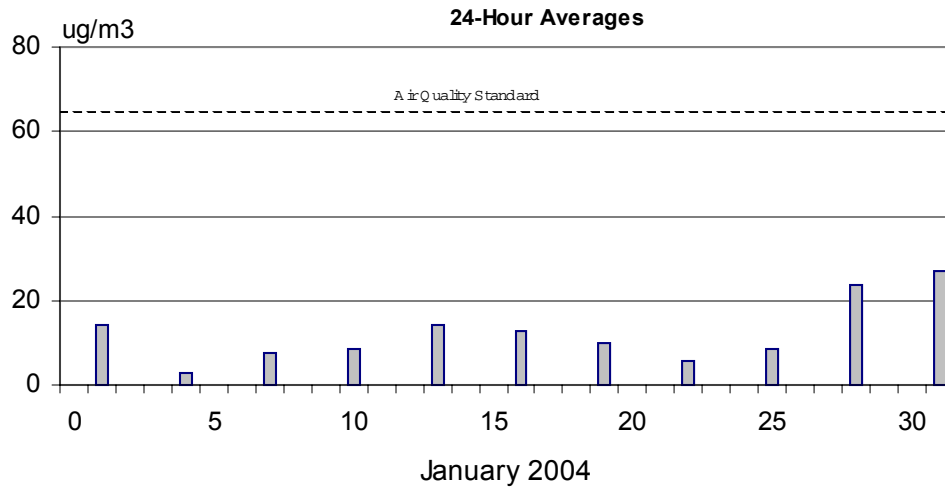


Site 44

	Monthly	YTD
1st High	23.7	23.7
2nd High	16.4	16.4

Particulate Matter 2.5

7250 East 75th Street
McKenzie Career Center



Site 42

	<u>Monthly</u>	<u>YTD</u>
1st High	27.1	27.1
2nd High	23.9	23.9

PARTICULATE MATTER - 2.5 MICRON (PM2.5)

2004

24-Hour Averages (ug/m3)

MONTH		SITE 2	SITE 11	SITE 19	SITE 41	SITE 42	SITE 43	Site 44
JANUARY	DAY							
	1	20.6	19.7	14.2	21.4	14.0	23.4	23.7
	2				12.2			
	3				10.1			
	4	4.4	3.2	3.2	2.1	2.7	2.7	3.3
	5				7.1			
	6				7.0			
	7	10.2			7.9	7.7	8.1	8.5
	8				13.6			
	9				15.8			
	10	9.3		6.9	9.3	8.4	11.4	9.7
	11				15.0			
	12				18.3			
	13	17.1		13.9	14.9	14.2	15.0	16.4
	14				17.2			
	15				6.7			
	16	15.5		14.2		12.7	18.0	15.7
	17		14.6		15.5			
	18		11.9		12.4			
	19	10.1	9.8	8.7	8.9	10.1	8.7	9.8
	20				14.2			
	21				16.0			
	22	9.3	7.9	6.6	6.7	5.9	6.9	7.1
	23				9.1			
	24				11.2			
	25	10.4	9.0	8.5	7.3	8.5	8.5	
	26				14.8			
	27				14.8			
	28	17.5	16.8	10.9	14.0	23.9	14.0	
	29				14.9			
	30				14.7			
	31	24.0	27.9	21.2	25.2	27.1	28.6	
	Mon. Avg.	13.5	13.4	10.8	12.6	12.3	13.2	11.8
	YTD Avg.	13.5	13.4	10.8	12.6	12.3	13.2	11.8
	1st Max.	24.0	27.9	21.2	25.2	27.1	28.6	23.7
	2nd Max.	20.6	19.7	14.2	21.4	23.9	23.4	16.4
	PY Avg.	17.2	17.4	14.6	15.5	14.7	16.2	16.4
	3-Yr Avg.	NA	NA	14.9	16.0	15.5	15.9	16.7

PM 2.5 Primary Standards:

Annual Standard:

3-year average of the annual mean concentrations - 15 ug/m3

24-hour Standard:

3-year average of the annual 98th percentile values - 65 ug/m3

PARTICULATE MATTER - 10 MICRON (PM10)
2004
24-Hour Averages (ug/m3)

MONTH		SITE 2	SITE 11	SITE 19	Site 31	Site 44
JANUARY	DAY					
	1					
	2					
	3					
	4	3	2	2	2	2
	5					
	6					
	7					
	8					
	9					
	10	13	12	7	16	13
	11					
	12					
	13					
	14					
	15					
	16	21	17	13	19	17
	17					
	18					
	19					
	20					
	21					
	22	20	15	9	16	10
	23					
	24					
	25					
	26					
	27					
	28	20	19	13	17	23
	29					
	30					
	31					
	Mon. Avg.	15	13	9	14	13
	YTD Avg.	15	13	9	14	13
	1st Max.	21	19	13	19	23
	2nd Max.	20	17	13	17	17
	PY Avg.	25	25	17	24	22

PM 10 Primary
Standards:

Annual Standard:

3-year average of the annual mean concentrations - 50 ug/m3

24-hour Standard:

3-year average of the annual 99th percentile values - 150 ug/m3

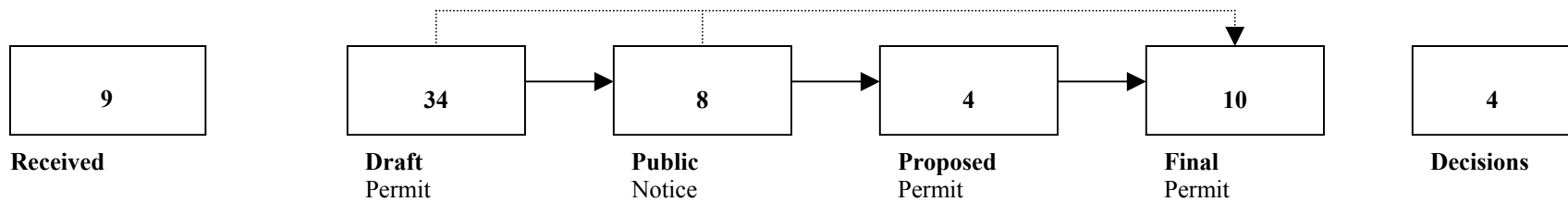
Office of Environmental Services

Air Permit Application Processing

Received/Issued/Active in January 2004. Year to Date 2004

Permit Level	Received	Received YTD	Decisions	Decisions YTD	Active Workload
Amendments	0	0	0	0	0
Initial Title V	0	0	0	0	11
Ongoing Title V	1	1	0	0	10
FESOP	1	1	1	1	18
MSOP	3	3	2	2	9
Registration	1	1	0	0	2
SSOA	1	1	0	0	2
Exemption	2	2	0	0	2
Permit by Rule	0	0	1	1	0
Review Request/Undetermined	0	0	0	0	2
Totals	9	9	4	4	56

Process Breakdown



Milestone	Permit	Plant	Company Name	Permit Type	Permit SubType	Received	PN Begins	Proposed	Final	Issued Decision	Clock Days
Monthly Received	18613	00028	ADM Grain Company	MSOP	Notice-Only Change	01/14/04			01/16/04	01/27/04	13
Monthly Received	18366	00520	BP Products North America	Exemption		01/08/04			02/06/04	02/13/04	7
Monthly Received	18380	00352	IPALCO (IPL) - Georgetown Substation Generating Plant	Appeal Resolution		01/09/04					45
Monthly Received	18625	00030	MeadWestvaco Corp., Envelope Product Group.	MSOP	Revocation	01/15/04			01/27/04		39
Monthly Received	18456	05249	Aggregate Resources, Inc.	SSOA		01/30/04			02/20/04		24
Monthly Received	18627	00030	MeadWestvaco Corp., Envelope Product Group	Registration		01/15/04			01/27/04		
Monthly Received	18685	00014	National Railroad Passenger Corp	FESOP	Significant Permit Revision (Major PSD/EO) (270)	01/30/04					12
Monthly Received	18659	00316	RTP Company	MSOP	Minor Permit Revision	01/13/04			02/11/04		20
Monthly Received	18681	00041	Wishard Memorial Hospital	Exemption		01/26/04					28
Initial Processing	18681	00041	Wishard Memorial Hospital	Exemption		01/26/04					28
Draft	15558	00186	Ashland Chemical Corporation	FESOP	Renewal	04/12/02					511
Draft	18366	00520	BP Products North America	Exemption		01/08/04			02/06/04	02/13/04	7
Draft	18181	00020	Cargill Dry Corn Ingredients, Inc.	Title V	Administrative Amendment	09/29/03			02/10/04		16
Draft	17173	00008	Central Soya Company Inc	FESOP	Renewal	01/28/03					391
Draft	18593	00008	Central Soya Company Inc	FESOP	Administrative	12/31/03					54

					Amendment						
Draft	17880	00141	Citizen Gas-Coke Utility	FESOP	Renewal	08/26/03					181
Draft	16972	00287	Citizen's Gas And Coke Utility	Title V	Renewal	03/27/03					333
Draft	12224	00034	Citizens Thermal Energy	Review Request		05/03/00					152
Milestone	Permit	Plant	Company Name	Permit Type	Permit SubType	Received	PN Begins	Proposed	Final	Issued Decision	Clock Days
Draft	17027	00034	Citizens Thermal Energy	Title V	SPM - NOx Budget Permit	05/23/03					276
Draft	14592	00302	Corsi Cabinet Company, Inc.	FESOP	Renewal	06/26/01					972
Draft	6846	00072	Eli Lilly & Company-Lilly Technology Center-COMB	Title V		10/08/96					2,694
Draft	18308	00040	Engineered Polymer Solutions, Inc. d/b/a Valspar Coatings	Title V	Renewal	12/10/03					75
Draft	17400	00135	Geiger & Peters, Inc.	FESOP	Renewal	06/09/03					259
Draft	11976	00104	Hanson Aggregates Midwest, Inc. COMBP	MSOP		03/07/00					
Draft	17036	00352	IPALCO (IPL) - Georgetown Substation Generating Plant	Title V	SPM - NOx Budget Permit	08/18/03					189
Draft	18380	00352	IPALCO (IPL) - Georgetown Substation Generating Plant	Appeal Resolution		01/09/04					45
Draft	17035	00033	IPALCO (IPL) - Harding-E. W. Stout Gen. Station-COMB	Title V	SPM - NOx Budget Permit	08/18/03					189
Draft	18055	00156	Indianapolis Airport Authority	Appeal Resolution		08/19/03				02/13/04	178
Draft	18317	00063	Interstate Castings, Inc.	FESOP	Renewal	11/05/03					110
Draft	15740	00086	Milestone Contractors, L.P.	FESOP	Renewal	05/23/02					139
Draft	18139	00272	Mortex Products, Inc.	MSOP		02/22/99					
Draft	18321	00518	Raytheon Aircraft Service - Indianapolis	Undetermined		10/31/03					115
Draft	7552	00315	Reilly Industries, Inc. -COMB	Title V		12/12/96					2,629
Draft	18257	05241	Rieth-Riley Construction Company, Inc.	FESOP		10/21/03					

Draft	18042	00286	Superior Oil Company, Inc.	Title V	Renewal	10/03/03					143
Draft	11671	00273	Toyoshima Indiana, Inc.	MSOP		12/16/99					
Public Notice	7302	00061	Citizens Gas and Coke Utility	Title V		11/27/96	12/29/03	02/26/04			2,628
Public Notice	6485	00012	Daimler Chrysler - Indpls. Foundry	Title V		08/29/96	12/31/03				1,762
Public Notice	17405	00424	IPALCO (IPL) - Calciment Blend Corp.-COMB	Title V		04/01/03	12/31/03				253
Milestone	Permit	Plant	Company Name	Permit Type	Permit SubType	Received	PN Begins	Proposed	Final	Issued Decision	Clock Days
Public Notice	6566	00033	IPALCO (IPL) - Harding-E. W. Stout Gen. Station-COMB	Title V		09/13/96	12/31/03				2,719
Public Notice	6993	00039	International Truck and Engine Corporation	Title V		10/24/96	10/23/98				2,661
Public Notice	18105	00510	Premier Bandag #4	FESOP		09/04/03	01/23/04	02/22/04	02/22/04		84
Public Notice	6201	00079	Quemetco, Inc.	Title V		06/28/96	12/31/03				2,796
Public Notice	15259	00320	Wingfoot Commercial Tire Systems, LLC	FESOP		11/26/01	01/23/04	02/22/04	02/22/04		788
Proposed	6898	00310	Allison Transmission Division-COMB	Title V		10/11/96	07/01/99	08/01/99			2,605
Proposed	6567	00034	Citizens Thermal Energy	Title V		09/13/96	10/18/03	11/17/03			2,719
Proposed	7714	00042	National Starch And Chemical Company	Title V		12/13/96	07/26/03	08/25/03			2,577
Proposed	17395	00095	Panhandle Eastern Pipeline Company	Title V	Renewal	03/26/03	12/03/03	01/02/04			312
Final	12612	00002	American Art Clay Company	FESOP	New Source FESOP (Minor PSD/EO) (120)	08/11/00	08/05/03	09/04/03	09/04/03		1,239
Final	15452	00280	General Motors Powertrain Engineering	FESOP		05/09/01	12/11/03	01/10/04	01/10/04		127
Final	15876	00063	Interstate Castings, Inc.	FESOP	Minor Permit Revision	07/15/02			04/02/03		557
Final	18551	00519	J.K.J. INC DBA (MAACO Auto Painting)	SSOA		08/01/03			01/08/04	02/10/04	
Final	14822	00275	Major Tool & Machine, Inc.	FESOP	Renewal	09/04/01	11/01/03	12/01/03	12/01/03		902

Final	16898	05229	Martin Marietta Materials, Inc.	MSOP	New Construction MSOP (Minor PSD/EO) (120)	03/10/03			05/28/03		28
Final	16900	05230	Martin Marietta Materials, Inc.	MSOP	New Construction MSOP (Minor PSD/EO) (120)	03/10/03			05/28/03		28
Final	18625	00030	MeadWestvaco Corp., Envelope Product Group, Indianapolis Pla	MSOP	Revocation	01/15/04			01/27/04		39
Milestone	Permit	Plant	Company Name	Permit Type	Permit SubType	Received	PN Begins	Proposed	Final	Issued Decision	Clock Days
Public Notice	6566	00033	IPALCO (IPL) - Harding-E. W. Stout Gen. Station-COMB	Title V		09/13/96	12/31/03				2,719
Final	12525	00391	Royal Spa Mfg.	FESOP	New Source FESOP (Minor PSD/EO) (120)	07/28/00	11/20/03	12/20/03	12/20/03		1,232
Monthly Issued	18613	00028	ADM Grain Company	MSOP	Notice-Only Change	01/14/04			01/16/04	01/27/04	13
Monthly Issued	18319	00517	Diamond Chain	Permit By Rule		09/24/03			01/22/04	01/26/04	105
Monthly Issued	14984	00170	Interstate Brands Corporation	FESOP	Renewal	10/17/01	10/21/03	11/20/03	11/20/03	01/26/04	809
Monthly Issued	18261	00516	Taylor Tire Treading Company	MSOP	New Construction MSOP (Minor PSD/EO) (120)	10/17/03	12/29/03	01/28/04	01/28/04	01/30/04	72

Activities Report
From January 1, 2004 to January 31, 2004
Office of Environmental Services
Data Compliance Section

Title V Sources

ID Number	Name	Inspection Date	Flagged
14650-00016	ADM Milling	1/14/04	X
15900-00373	Parts Cleaning Technology	1/22/04	
9602-00156	Indianapolis Airport Authority	1/05/04	X

FESOP Sources

ID Number	Name	Inspection Date	Flagged
14374-00197	Fiberglass and Plastics Fabricating	1/29/04	
15522-00127	Superior Metal Technologies	1/29/04	X
11253-00257	Federal Express	1/27/04	

SSOA Sources

ID Number	Name	Inspection Date	Flagged
14541-00405	Glendale Center	1/28/04	

Permit by Rule Sources

ID Number	Name	Inspection Date	Flagged

State Minor Sources

ID Number	Name	Inspection Date	Flagged

Registration Sources

ID Number	Name	Inspection Date	Flagged

Exemptions Sources

ID Number	Name	Inspection Date	Flagged

Other Sources

ID Number	Name	Inspection Date	Flagged

Stack Tests/CEM

ID Number	Name	Observation Date*	Pollutant Tested	Flagged
7884-00041	Wishard Memorial Hospital	01/15/04	PM, CO, HCI	

YTD Totals

Inspections Completed for Clean Air Act Permit Sources (Title V, FESOP, & SSOA)	Inspections Completed for Non-Title V Permit Sources	Number of Permitted Sources Flagged	Percentage Rate of Sources Flagged at Inspection	Number of Compliance Reports Quality Assured	Number of Stack Test /CEM Observed
7	0	3	43	0	1

NOTICE OF VIOLATION WITHOUT REFERRAL
January, 2004

<u>Date of Violation(s)</u>	<u>Name/Location</u>	<u>Regulation Violated</u>	<u>Description</u>
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None issued.

NOTICE OF VIOLATION WITH REFERRAL TO PROSECUTOR
January, 2004

<u>Date of Violation(s)</u>	<u>Name/Location</u>	<u>Regulation Violated</u>	<u>Description</u>
1/12/04	Mr. Edward Hazel 5408 Concord Street	Chapter 511, Section 511-702	Open burning of construction debris

WARNING LETTERS
January, 2004

<u>Date</u>	<u>Name/Location</u>	<u>Regulation Violated</u>	<u>Description</u>
8/11/03	Milestone Contractors, L.P. 4202 South Harding Street	2-1-1(H)(1)(c)	Permits (exceedance of limit of sulfur content in waste oil)

SOURCE CONFERENCES
January, 2004

<u>Date</u>	<u>Source</u>	<u>Topics</u>	<u>Results</u>
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None held.

TICKETS AND SUMMONSES
January, 2004

None issued.

YTD Totals:

Asbestos Inspections Completed	Mobile Source Inspections Completed	Environmental Inspections Completed	# of Enforcement Actions Taken With Referral	# of Warning Letters Issued	# of Enforcement Actions Taken Without Referral	# of Enforcement Actions Resolved	# of Requests for Enforcement Technical Assistance	# of Complaints	# of Open Burning Warnings
28	27	323	1	1	0	2	28	23	0

CITY OF INDIANAPOLIS
Office of Environmental Services
Air Pollution Enforcement Actions
February 27, 2004
Prepared by Cheryl Carlson

Denotes New Information

EPA Cases --

Company and Address of Violation	Regulation Violated	Date(s) of Violation(s)	Date NOV issued	Date of Source Conference(s)	Date Proposed Agreed Judgment or Compliance Agreement Sent to Company	Date of Resolution and Outcome
International Truck and Engine Corporation 5565 Brookville Road	40 CFR § 52.24(a) (installation of 13 cold box core machines without proper permitting)	1977, 1979, 1985, 1988, 1989, 1990, 1991, and 1995	12/19/03	<u>2/11/04</u>		

State Cases --

Company and Address of Violation	Regulation Violated	Date(s) of Violation(s)	Date NOV issued	Date of Source Conference(s)	Date Proposed Agreed Judgment or Compliance Agreement Sent to Company	Date of Resolution and Outcome
Citizens Gas and Coke Utility 2950 Prospect Street	326 IAC 5-1-2(2)(A) "Opacity Limitations"; and 326 IAC 3-5 "Continuous Monitoring of Emissions"	3 rd quarter 2002 (E & H)	2/24/03	9/25/03		
Citizens Gas and Coke Utility 2950 Prospect Street	326 IAC 5-1-2(2)(A) "Opacity Limitations"; and 326 IAC 3-5 "Continuous Monitoring of Emissions"	4 th quarter 2002 (E & H)	6/3/03	9/25/03		
Citizens Gas and Coke Utility 2950 Prospect Street	326 IAC 5-1-2(2)(A) "Opacity Limitations"; and 326 IAC 3-5 "Continuous Monitoring of Emissions"	1 st quarter 2003 (E & H)	8/18/03	9/25/03		
Citizens Gas and Coke Utility 2950 Prospect Street	326 IAC 5-1-2(2)(A) "Opacity Limitations"; and 326 IAC 3-5 "Continuous Monitoring of Emissions"	2 nd quarter 2003 (E & H)	1/22/04			

City Cases —

Company and Address of Violation	Regulation Violated	Date(s) of Violation(s)	Date NOV issued	Date of Source Conference(s)	Date Proposed Agreed Judgment or Compliance Agreement Sent to Company	Date of Resolution and Outcome
Capitol City Metals LLC (Indianapolis Shredding Company) 311 South Shelby Street	2-1(H)(1)(c) "Permits" (failure of a stack test conducted to determine compliance with permit for metal/fluff separator)	9/22/99	5/22/00 Revised 6/26/01 Revised 4/17/03	8/15/01 10/4/02 Stack test conducted on 7/18/03		
Capitol City Metals LLC (Indianapolis Shredding Company) 311 South Shelby Street	6-4-2 "Fugitive Dust Emissions"	5/11/01, 12/11/02, and 1/17/03	4/17/03			
Citizens Gas and Coke Utility 2950 Prospect Street	2 "Permits" (Failure to keep records of routine air pollution maintenance; exceedance of H2S limit; <u>construction and operation without a permit</u>); 6-4 "Fugitive Dust Emissions", 20 "Hazardous Air Pollutants" (Exceedance of rolling 30 day average limit for Method 303; exceedance of visible emissions limit from Battery 1 from daily Method 303)	10/8/02; 3/6/01 - <u>12/31/03 (95 days)</u> ; 8/7/02 - 8/20/02 and 10/17/02 - 10/22/02; prior to 8/1/02; 2/17/01 - <u>12/31/03 (138 days)</u>	3/26/03 Revised 5/14/03 <u>Revised 2/26/04</u>	5/2/03 Correspondence received 6/9/03		
<u>Citizens Gas and Coke Utility - Liquified Natural Gas North facility 4536 West 86th Street</u>	<u>2-1(H)(1)(c) "Permits" (Exceedance of VOC limit)</u>	<u>February 2003 through December 2003 (11 months)</u>	<u>2/17/04</u>	<u>Scheduled for 3/4/04</u>		
DaimlerChrysler Corporation Indianapolis Foundry 1100 South Tibbs Avenue	2 "Permits", Section 1-1(H)(1)(c) (failure to keep records)	Various dates from 1/1/99 through 3/31/02	10/6/03	10/27/03	<u>2/19/04</u>	
Goodyear Tire and Rubber Company 1950 West Edgewood Avenue	2 "Permits", Section 1-1(H)(1) (c) (failure to comply with permit conditions)	4/15/00, 8/29/00 (3 violations)	1/9/01	2/2/01 Additional information received on 7/11/01		
<u>Mr. Edward Hazel 5408 Concord Street</u>	<u>Chapter 511, Section 511-702 "Open Burning Restricted; General Prohibitions"</u>	<u>1/12/04</u>	<u>1/14/04</u>			
Indiana University - Purdue University at Indianapolis 635 Barnhill Drive	14-10 "Emission Standards for Asbestos: Demolition and Renovation Operations", Section 8-1(c), 8-2(a), 8-2(b), and 8-2(c)	8/15/02 and 10/10/02	1/8/03	Meeting held on 10/11/02 2/19/03 Additional information received on 3/25/03 and		

Company and Address of Violation	Regulation Violated	Date(s) of Violation(s)	Date NOV issued	Date of Source Conference(s)	Date Proposed Agreed Judgment or Compliance Agreement Sent to Company	Date of Resolution and Outcome
				8/27/03		
International Truck and Engine Company 5565 Brookville Road	2 "Permits", Section 1-1(H)(1)(c) (Failure to keep records, late stack test report, CWOP/OWOP)	2 nd Quarter 2000 - 2 nd Quarter 2002; various date from 6/5/00 - 5/28/02; 10/11/02; March 2002	9/12/03	10/8/03	<u>2/23/04</u>	
Metalworking Lubricants Company 1509 South Senate Avenue	Chapter 511 "Air Pollution Control Ordinance", Section 511-701	11/1/01	12/10/01	1/16/02	<u>2/26/04</u>	
Reilly Industries, Inc. 1500 South Tibbs Avenue	6 "Particulate Emission Limitations", Section 1-1-12 <u>Non-Attainment Limitations</u> ; 20 "Hazardous Air Pollutants", Section 11 <u>Synthetic Organic Chemical Manufacturing Industries</u>	Calendar year 2001 and Calendar year 2002 (TSP SIP); 9/12/02 (failure to use zero calibration gas); 6/19/99, 6/26/99, 11/25/00, and 11/16/01 (leak detection and repair); 9/22/02 through 5/28/03 (failure to keep temperature records)	10/14/03	11/6/03		
Smoot Construction, LLC 2001 West 18 th Street 635 Barnhill Drive	14-10 "Emission Standards for Asbestos: Demolition and Renovation Operations", Section 8-1(a), (b), and (c)	8/14/012, 8/15/02, and 10/10/02	1/9/03	Meeting held on 10/11/02 9/23/03 Additional information received 10/15/03		
Statewide Medical Services and Supply, Inc. MED/dispose, Inc. 3601 East 9 th Street	2 "Permits", Section 1-1(H)(1)(c) (Failure to comply with permit condition) and 511-304(a) (Failure to submit a permit application)	6/6/01 to present, various dates 9/5/01 through 9/21/01 (9 days), 10/30/01	6/16/03	8/11/03	6/16/03 <u>Revised 2/17/04</u>	
Wishard Health Services 1001 West 10 th Street	2 "Permits", Section 1-1(H)(1)(b) (failure to comply with dioxin/furan emissions during stack test)	2/6/02 through 2/8/02; <u>11/25/03 through 11/26/03</u>	7/14/03 <u>Revised 2/23/04</u>	8/25/03 <u>2/11/04</u>		

January 8, 2004 - APPROVED AS PRESENTED - February 12, 2004
INDIANAPOLIS AIR POLLUTION CONTROL BOARD
CITY OF INDIANAPOLIS

The INDIANAPOLIS AIR POLLUTION CONTROL BOARD (APCB) met to conduct its regularly scheduled meeting on January 8, 2004 at 9:30 a.m. in Room 107 of the City-County Building.

THOSE PRESENT WERE:

Robert Daly, Chairman
Roland Salman, Member
Tom Barnard, Member
Chuck Fraley, Member
Dennis Achgill, Member
Bruce Wallace, Member
John Chavez, Technical Secretary
Matt Senseny, Board Counsel

ABSENT:

Bill Brown, Member
Tom Rarick, Member

GUESTS PRESENT:

Beulah Coughenour
Wade Kohlmann, Citizens Gas & Coke Utility
Richard Van Frank, Improving Kids Environment
Denise Curtis, National Starch and Chemical Company
Pam Thevenow, Marion County Health Department
Terry Hogan, Keramida Environmental, Inc.

RE: CALL TO ORDER - PUBLIC HEARING

Dr. Robert Daly called the reopening of the Public Hearing to order to adopt the Indianapolis Air Pollution Control Board (IAPCB) Regulation 10, Nitrogen Oxides. He asked if there was any testimony. There was none.

Mr. Tom Hipple summarized Regulation 10, Nitrogen Oxides (NOx). The purpose of this Regulation is to reduce NOx emissions. NOx emissions will be reduced between now and the year 2007. Staff are requesting the Board to adopt Regulation 10, Nitrogen Oxides. There are two (2) entities in Marion County that will be affected by the rule. Mr. Hipple has spoken with representatives from each of the entities (Ann McIver of Citizens Thermal and Dwayne Burke of Indianapolis Power and Light) and explained the circumstances. He said both individuals stated they did not have any concerns with the adoption of Regulation 10 and suggested that the Board proceed with final adoption.

Dr. Daly closed the Public Hearing and the final adoption will be addressed during regular business of the APCB

RE: CALL TO ORDER - REGULAR MEETING

Dr. Robert Daly called the meeting to order.

RE: ADOPTION OF AGENDA

Dr. Daly solicited modifications to the Agenda. There was one (1) addition presented by Dr. Daly.

1. Under item (4) Announcements (b), Presentation of APCB Resolution to Councillor Beulah Coughenour.

Mr. Chuck Fraley made a motion the Agenda be adopted as amended. Mr. Bruce Wallace seconded the motion and said motion carried.

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RE: ANNOUNCEMENTS

(Presentation of Resolution to Councillor Beulah Coughenour)

Dr. Daly presented a Resolution to Councillor Beulah Coughenour. Dr. Daly stated Councillor Coughenour has served seven (7) terms as a councilwoman. She was the chairperson for the Public Works Committee for twenty-six (26) years. She has been a champion of air issues from the beginning to the end. She has been a friend to the APCB and very helpful in legislative issues that has brought the City of Indianapolis into compliance with the original set of rules. Councillor Coughenour has also been a very active citizen and involved with national issues and she has brought all of this to the City's benefit.

Dr. Daly read the resolution and then presented it to Councillor Beulah Coughenour. Councillor Coughenour thanked the APCB for their service to the City of Indianapolis.

(Director of Department of Public Works)

Mr. John Chavez announced that on Friday, January 2, 2004 that Mayor Bart Peterson named James Garrard as the new Director of the Department of Public Works. Mr. Garrard has been with the City of Indianapolis since 2000. Most recently, he was the Administrator for the Animal Care and Control Division. Prior to that, he served as a Special Counsel for the Office of Corporation Counsel. He comes with an outstanding track record of progresses and successes.

RE: APPROVAL OF MINUTES

Dr. Daly solicited modifications to the Minutes for the December 11, 2003 meeting. There were none. Mr. Wallace made a motion that the Minutes be approved as presented. Mr. Dennis Achgill seconded the motion and said motion carried.

RE: STAFF REPORTS - November 2003, Monthly Activities Report

(Air Monitoring Activities Report)

Mr. Childs updated the Board on the Air Monitoring Activities for November 2003. He stated the Air Quality Index (AQI) bounced back and forth between the Good and Moderate categories throughout November. There were no unusual readings during the month.

The Board inquired if there was any issues with particulate matter. Mr. Childs stated at site 42, the McKenzie Career Center, the readings did drop below 14.9 through November and may attain the standard at that site. The higher readings are more in the center core of the City of Indianapolis. A presentation on PM_{2.5} will be given at the March 11, 2004 APCB meeting.

(Permit Activities Report)

Mr. Keshav Reddy updated the Board on the Permit Activities Report for November 2003. There were two (2) applications received and six (6) decisions made. There are thirty-three (33) in draft stage, three (3) on public notice, two (2) proposed, and nine (9) in the final stage.

Staff is continuing to work on the backlog and making good progress. During the month of December, the Permitting Group put six (6) Title V draft permits on public notice. The Board asked how long it takes to issue a Title V Permit once it has been put on public notice. Mr. Reddy stated approximately four (4) four months. There is a forty-five (45) day U.S. Environmental Protection Agency (EPA) review period, source comment period, and an Indiana Department of Environmental Management (IDEM) review period.

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The Board asked why the table indicates that there was eight (8) decisions made and the Process Breakdown indicates there was only six (6) decisions made. Mr. Reddy stated that there is a slight software problem with this report. The contractor is currently working on this problem and should have it resolved by the next report. If it is not, Mr. Reddy will manually tally the numbers for the December 2003 Activities Report. The actual number of decisions made in November 2004 is six (6).

Mr. Chavez announced that on Tuesday, January 13, 2004 at 6:30 p.m. at the VFW Post #2999 located at 3553 English Avenue the City of Indianapolis would be holding an expanded Public Outreach Meeting for the Citizens Gas and Coke Utility (CG&CU) Title V permit. The purpose of the meeting is to provide a basic overview of the permitting process, the elements of the Title V permit for CG&CU, an overview of the operations at CG&CU and some other information. This will allow a variety of different citizens to put together some solid public comments that can be addressed during the public comment period. Invitation letters were sent out to approximately fifteen (15) neighborhood organizations and other stakeholder groups that have shown an interest in the permit.

Ms. Pam Thevenow of the Marion County Health Department inquired if the staff at School 21 is aware of this meeting. Mr. Chavez stated a notice was sent to the Indianapolis Public Schools. The Board asked that a notice be sent to the principal of School 21.

The Board asked if there is a website available to the public with the permit and its conditions on it. Mr. Reddy stated yes, it is available at the IDEM website and soon a link to this website will become available on the OES website. Mr. Matt Senseny stated that if you go to the Access Indiana website it could be found very easily.

The Board asked what are the Permit Group's expectations for 2004. Mr. Chavez stated staff are in the process of setting the 2004 goals and initiatives. A draft workplan has been submitted to IDEM that lays out the milestones and objectives from the permitting standpoint. The backlog issues will still be addressed as well as making sure the construction permits are issued quickly. The Board asked if the 2004 workplan would be available by the next meeting. Mr. Chavez stated yes. They then asked for a presentation of the 2004 initiatives for the entire Air Section be given at the next APCB Meeting. Mr. Chavez stated the 2004 workplan is approximately an eight (8) page document and will send this to the APCB members as part of their next packet.

(Stationary Source Compliance Activities)

Mr. Matt Mosier updated the Board on the Compliance Activities Report for November 2003. During the month of November, the Compliance Section inspected one (1) Title V source, two (2) FESOP sources, and three (3) SSOA sources. The three (3) SSOA sources were flagged, Seleco, Inc., Webber Manufacturing Company, Inc., and W.R. Beach General Contractor, Inc. They were flagged for paperwork violations and have since been resolved with Warning Letters. There were two (2) stack tests observed during the month of October. The percentage rate of sources flagged for non-compliance at inspection is 16%.

The Board asked if 2003 was a "compliance year." Mr. Mosier stated that a few years ago the Board stated it would be interesting to track the administrative compliance over the years. Mr. Mosier stated when staff first started quality assuring the reports for Title V, FESOP, and SSOA sources staff was sending twenty (20) to thirty (30) Warning Letters per quarter for late or missing reports. That has now decreased to five (5) or six (6) Warning Letters per quarter for late or missing reports. The Board asked if the tracking process has been more effective in getting more people to pay attention to their permit requirements. Mr. Mosier stated that having all the requirements in one document has made it easier for sources to know what needs to be done.

(Notice of Violation/Agreed Judgement Activities Report)

Ms. Carlson updated the Board on the Enforcement Activities Report for November 2003. During the month of November there were two (2) Warning Letters issued. There was one (1) source conference held with Reilly Industries.

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New Information:

Wishard Health Services - A Compliance Agreement was signed by the company on December 2, 2003 and a penalty of \$4,640 was assessed. This was for the paperwork problems.

The Board inquired about the status of the sources (Capitol City Metals, LLC, Goodyear Tire and Rubber, and Metalworking Lubricants Company) whose violations are over a year old. Ms. Carlson stated that the Enforcement Group is currently working with the Permit Group to determine the proper permitting issues with Capitol City Metals, LLC and will work towards resolution. This should be resolved in the first quarter of 2004. Goodyear Tire and Rubber is among a number of tire retreaders that are currently being looked at on a permitting basis for what the appropriate level of permit should be. Once that is decided, a determination will be able to be made on whether the permit they had was appropriate and if those were the conditions with which they needed to comply. The Board clarified that staff may have cited Goodyear Tire and Rubber for a violation that may not be accurate. Ms. Carlson stated, correct. Metalworking Lubricants Company was purposely left open for a year in case there were any other incidents that would occur that could be added to this action. Now that it has been a year, resolution will begin by incorporating odor controls. There has been some odor issues with Metalworking Lubricants but they have not been the natural gas odor as before.

The Board inquired about odor complaints in the Reilly Tar area. Ms. Carlson stated staff rarely gets calls concerning this facility. This is due to the involvement the company has with the neighborhood. They meet bi-monthly with the residents. The Board has asked if this approach could be used with the Metalworking Lubricants Company area. Ms. Carlson stated this approach has been attempted. The Board inquired when staff works towards resolution do they work with local management only. Ms. Carlson stated that whenever a violation occurs staff first tries to work locally and if there is not success they will then involve the parent company. In this case, it was not the company's unwillingness to work with the neighborhood, it was the neighborhood's unwillingness.

Mr. Dick Van Frank of Improving Kid's Environment asked if the Wishard Health Services incinerator is operating and when the issues with it will be resolved. Ms. Carlson stated the incinerator is operating and a stack test was conducted in early December 2003. Staff are in the process of reviewing the results. More information will be provided to the Board at the next APCB meeting.

Mr. Van Frank inquired what the status is for the twenty-eight (28) enforcement actions referred to the Prosecutor's Office. Ms. Carlson stated this is a phrase that is used in the ordinance as defining an enforcement action where there is going to be penalty assessed. A few years ago staff began utilizing an Administrative Hearing Officer process. Most of the actions do not go through the Prosecutor's Office, they go through the Administrative Hearing Officer process.

The Board asked if there have been cases referred for criminal prosecution in Marion County. Ms. Carlson stated if cases have been referred for criminal prosecution, they will not be reflected on this report. They will only show up on the report if the City seeks a civil penalty. The Board inquired if the APCB will have some sort of input if a civil action needs to be elevated to a criminal action. Mr. Senseny stated that from an informational standpoint yes, but the authority of the APCB would be strictly advisory in that capacity. Ms. Carlson stated there are some sensitive public information lines that the City has to be careful not to cross in criminal action cases. In criminal cases, staff does the initial investigation and if something is discovered that may be criminal, staff then turns it over to someone for further investigation.

Mr. Senseny updated the Board on voicing their concerns with the City's contracted street sweeping companies. Mr. Senseny spoke with the Contract Compliance Officer with DPW Operations. Yes, there is a liquidated damage clause within their contract. However, those damages will flow from not meeting goals, parameters, and sweep miles etc., within

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that particular contract. There is no connection between that and an environmental violation that may occur. There is no particular provision that will bar any type of action that the Enforcement Group could pursue on the strength of any type of report from any citizen or inspector.

(School 21)

Mr. Chavez provided an update to the Board on the School 21 Project. There was a small sub-group meeting at OES on December 29, 2003. Mr. Van Frank, Mr. Bill Beranek, staff from EPA, IDEM and OES met to discuss the Risk Characterization protocol. There was discussion on an EPA document that obtained various levels of acceptable risks that exists in EPA regulations and policies. It was a very productive meeting and IDEM sent out a revised Risk Characterization protocol later that week.

The next full stakeholder School 21 meeting is scheduled for Tuesday, January 13, 2004 at 1:00 p.m. at the Department of Public Works Training Center located at 2700 South Belmont Avenue. It is expected the Risk Characterization protocol will be finalized at this meeting. The Board asked what is the general range of acceptable risk being discussed? Mr. Chavez stated the general range is 1 in 10,000 to 1 in a million, which is the acceptable risk level included in the benzene NESHAP. The Board inquired if that is death? Mr. Chavez stated no, that it is the Incremental Lifetime Cancer Risk (ILCR) which is an increased chance of getting cancer. There has been discussion on overall mortality but not as much as the ILCR. It is anticipated that the overall mortality will be discussed further.

The group is struggling with ample margins of safety and additive effects. The group has not decided how or whether they will look at additive effects. There was discussion on doing some ingestion modeling. However, that will be very limited because there are not any soil data. IDEM is interested in running the emissions through a deposition model and coming up with a estimate on how much benzene can be in soil a certain distance from the plant. EPA has some exposure factors, which could be applied. This is modeling based information and the group needs to determine whether it will be useful or not.

The Board stated the 1 in 10,000 to 1 in a million is essentially arbitrary until the acceptable risk is determined. This judgment can not be made unless you plot parallel with it the economic cost of risk reduction at each end of the spectrum. Then an arbitrary decision needs to be made on much is willing to be spent for how much safety you are willing to obtain. The Board asked if there is a parallel discussion of economics with determining the acceptable risk.

Mr. Van Frank stated there is no economic discussions taking place. He stated his view is that IDEM does not want to engage in this discussion. Discussion on this issue has been attempted to be done by e-mail and there has been no participation from IDEM. He stated nothing has changed since the comments he made at the last APCB meeting. He stated he does not think it is economically feasible to get it down to 1 in a million in that area but he feels it should be considered. The initial IDEM approach is if it is not greater than 1 in 10,000 then there will be no action taken. Mr. Van Frank feels this is not realistic and does not adequately protect the citizens living in the area.

The Board stated it is important that the discussions broaden on the acceptable risk with the economic impact in mind. Mr. Van Frank stated he has made statements that the acceptable risk should be reduced as close to 1 in a million as possible considering the technical and economic feasibility of so doing. The Board does understand that the City does not have control over this process and that the City is simply a stakeholder in the group. It is the City's responsibility to continue to hold the issue up to the State and ask them to continue to do their duty.

The Board inquired if this issue has gotten any exposure from the State Air Pollution Control Board. Mr. Chavez stated he did not think IDEM has taken it before the State APCB. Mr. Hipple stated they discussed it briefly at the December 2003 meeting. IDEM gave a brief report and it did appear in the minutes from the meeting. The Board asked whom from IDEM as been assigned to this project. Mr. Chavez stated John Welch, a Senior

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Environmental Manager. However, Mr. Welch has been activated to military duty. Mr. Scott Deloney will be standing in for Mr. Welch until he returns. Mr. Chavez stated EPA and IDEM have been working closely on a lot of issues. EPA has taken on a greater leadership role in the group. They have a lot of interest in the project. Mr. Matt Lakin and Mr. Randy Robinson of the Air Toxins Section of the EPA have been involved in the project for sometime. Mr. Lakin is a risk assessor and Mr. Robinson is a modeler. At the last meeting, IDEM brought Mr. Rod Thompson who is in the Risk Assessment Group in the IDEM's Office of Land Quality.

(Central Indiana Air Quality Advisory Group Update)

Mr. Achgill updated the Board on the Central Indiana Air Quality Advisory Group. There has not been any action taken since the last APCB meeting. Mr. Chavez stated he has met with the team from IDEM and several corporate environmental executives from BP Amoco, Marathon Ashland, Indiana Petroleum Council and Exxon. There was a two-hour discussion on the roles that fuels will be playing. The petroleum company representatives voiced their concerns about fuels. The main concern is to not make a selection in Marion County that is only a Marion County solution because they have refineries and they have cost issues. It is not cost effective to do a special formulation of gasoline and diesel fuel for one town. They want to ensure that the solutions are looked at regionally vs. locally.

The petroleum industry is a very interested stakeholder group that wants to participate in this process. The next meeting is scheduled for January 16, 2004 at 1:00 p.m. the location is to be determined.

RE: UNFINISHED BUSINESS

(Final Adoption of Regulation 10, Nitrogen Oxides)

A public hearing was held prior to the Board meeting. There were no comments. OES Staff recommended the Board to proceed with Final Adoption of Regulation 10, Nitrogen Oxides. The Board agreed with Staff's recommendation. Mr. Wallace made a motion to Final Adopt changes to Regulation 1-2-3. Mr. Tom Barnard seconded the motion and said motion carried.

The notice of the final adoption will be printed in the Indianapolis Star for two consecutive weeks within forty-five days after this final adoption. A copy of the Final Adoption will be sent to the City-County Councillors. A copy will also be available at the City Clerk's Office as well as the Office of Environmental Services.

Mr. Martin stated staff is currently reviewing the State Rules to see if there is anything the City needs to incorporate by reference. If there is not, there will be no need to have another adoption of Regulation 1-2-3 until June 2004.

(Resolution for Bernie Paul)

Dr. Daly read an Indianapolis Air Pollution Control Board Resolution for Mr. Bernie Paul recognizing his service to the City of Indianapolis as a member of the Indianapolis Air Pollution Control Board for eleven (11) years. He has served on various committee's regarding improving the air quality in the City of Indianapolis.

RE: NEW BUSINESS

There was none.

RE: ADJOURNMENT

Mr. Wallace made a motion the meeting be adjourned. Mr. Barnard seconded the motion and said motion carried. The next Indianapolis Air Pollution Control Board meeting will be on February 12, 2004, at 9:30 A.M. in Room 107 of the City-County Building.

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AIR POLLUTION CONTROL BOARD

Dr. Robert Daly, Chairman

ATTEST:

John Chavez, Technical Secretary
Indianapolis Air Pollution Control Board

Date: _____